

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
vs.	:	
	:	
NEIL MOSES	:	NO. 00-454-01

MEMORANDUM

ROBERT F. KELLY, Sr. J.

JULY 15, 2008

Neil Moses has filed a motion styled “RULE 10.(E): CORRECTION OR MODIFICATION OF THE RECORD”. This is actually another attempt to re-litigate his prior motion filed under 28 U.S.C. § 2255. His prior motion was denied by this Court in a 20 page Memorandum filed on June 30, 2005.

The Third Circuit Court of Appeals denied a request for Certification of Appealability on March 14, 2006. The specific issue raised in the present motion was raised in the prior habeas corpus proceeding and dealt with, by this Court, as Issue Three in the Memorandum Opinion of June 30, 2005. For these reasons this motion will be dismissed.

For the above reasons this Court also finds that Petitioner has not made a substantial showing of the denial of a Constitutional right.

An appropriate Order follows

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ORDER

AND NOW, this 15th day of July, 2008, upon consideration of the motions of Neil Moses (Doc. Nos. 140 and 141, they are the same pleading but were docketed twice), it is hereby **ORDERED** that the motions are **DENIED**.

The Court finds that Neil Moses has not made a substantial showing of a denial of a Constitutional right and it is therefore **FURTHER ORDERED** that a Certificate of Appealability is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE